

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JERRY D. POUGH,

Petitioner,

v.

WILLIAM GITTERE, *et al.*,

Respondents.

Case No. 3:24-cv-00067-ART-CSD

ORDER

On February 8, 2024, *pro se* Petitioner Jerry D. Pough filed a purported federal habeas petition and an *in forma pauperis* (“IFP”) application. (ECF Nos. 1, 1-1, 1-2.) Because Pough’s petition was illegible in spots and not on the appropriate form, on February 20, 2024, this Court ordered Pough to file an amended petition on or before March 29, 2024. (ECF No. 3.) Pough was warned that his failure to timely comply would result in the dismissal of this case without prejudice and without further advance notice.¹ (*Id.*) To date, Pough has not filed an amended petition, requested an extension of time, or taken any other action to prosecute this case.

It is therefore ordered that Petitioner Jerry D. Pough’s purported federal habeas petition (ECF No. 1-1) is dismissed without prejudice based on his failure to comply with this Court’s Order (ECF No. 3). Pough is denied a certificate of appealability, as jurists of reason would not find dismissal of the petition for the reasons stated herein to be debatable or wrong.

It is further ordered that the motion for leave to proceed *in forma pauperis* (ECF No. 1) is granted.

It is further ordered that the Clerk of Court (1) file the petition (ECF No. 1-1), (2) add Nevada Attorney General Aaron D. Ford as counsel for Respondents,²

¹Notably, this Order was returned as undeliverable because Pough refused to sign for the filing with the Ely State Prison law library. (See ECF No. 4.)

²No response is required from Respondents other than to respond to any orders of a reviewing court.

1 (3) informally serve the Nevada Attorney General with the petition (ECF No. 1-1),
2 this Order, and all other filings in this matter by sending a notice of electronic
3 filing to the Nevada Attorney General's office, (4) enter final judgment, and (5)
4 close this case.

5 Dated this 10th day of April 2024.

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8 ANNE R. TRAUM
9 UNITED STATES DISTRICT JUDGE
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